

**Before the  
Federal Communications Commission  
Washington, D.C. 20554**

In the Matter of	)	
	)	
Request for Deferment of Fiscal Year 2017	)	
Regulatory Fees by	)	
	)	
Vitelcom Cellular, Inc., St. Croix Cable TV, Inc.,	)	
Caribbean Communications Corp., Innovative	)	
Long Distance, ICC TV, Inc.	)	OMD Docket No. 17-134
	)	
Request for Waiver of Regulatory Fee and	)	
Request for Deferment of Regulatory Fee	)	
Payment by	)	
	)	
Aguadilla Radio & TV Corporation, Radio Casa	)	
Pueblo, Inc.	)	
	)	
Emergency Motion to Defer Payment of Annual	)	
Regulatory Fee by	)	
	)	
SMITCOMS, INC.	)	

**ORDER**

**Adopted: March 18, 2020**

**Released: March 18, 2020**

By the Managing Director:

**I. INTRODUCTION**

1. In this Order, the Office of Managing Director (OMD) dismisses as moot eight petitions for waiver or deferral of Interstate Telecommunications Service Providers (ITSP) regulatory fee payments for fiscal year (FY) 2017.<sup>1</sup> These waiver requests were submitted by regulatees affected by Hurricanes Harvey, Irma, and Maria in 2017.

**II. BACKGROUND**

2. On September 7, 2017, the Federal Communications Commission (Commission) released a Report and Order adopting a schedule of regulatory fees for fiscal year (FY) 2017.<sup>2</sup> Regulatory fees were originally due on Sept. 26, 2017 for all fee payors. Subsequently, in recognition of the significant damage

<sup>1</sup> Section 1.1166 of the Commission's rules describes how regulatees may seek waivers, reductions, and deferrals of regulatory fees. 47 C.F.R. § 1.1166.

<sup>2</sup> Assessment and Collection of Regulatory Fees for Fiscal Year 2017, *Report and Order and Further Notice of Proposed Rulemaking*, 32 FCC Rcd. 7057 (2017) (*2017 Regulatory Fee Order*).

cause by Hurricanes Maria, Irma and Harvey, in the areas within their respective paths, the Commission extended the payment due date to 11:59 PM on September 29, 2017 for affected regulatory fee payors.<sup>3</sup> The Commission timely received petitions from the following eight ITSP regulatory fee payors for waiver and/or deferral of their respective FY 2017 regulatory fees: Vitelcom Cellular, Inc.,<sup>4</sup> St. Croix Cable TV, Inc.,<sup>5</sup> SMITCOMS, Inc.,<sup>6</sup> Aguadilla Radio & TV Corporation,<sup>7</sup> Caribbean Communications Corporation,<sup>8</sup> Innovative Long Distance,<sup>9</sup> ICC TV, Inc.,<sup>10</sup> and Radio Casa Pueblo, Inc.<sup>11</sup> Five of the petitioners,<sup>12</sup> each having entered into an installment payment agreement<sup>13</sup> with the Commission, have paid their FY 2017 regulatory fees in full.<sup>14</sup> Three of the petitioners,<sup>15</sup> however, owed no regulatory fees for FY 2017 because each owed total regulatory fees for FY 2017 below the *de minimis* threshold established by the Commission in the *2017 Regulatory Fee Order*.<sup>16</sup> Accordingly, all eight petitions are now moot and are dismissed.

### III. ORDERING CLAUSES

3. Accordingly, IT IS ORDERED that, pursuant to the authority found in Sections 4(i), 9, and 9A of the Communications Act of 1934, as amended, 47 U.S.C. §§ 154(i), 159, and 159A that the Request for Deferment of Fiscal Year 2017 Regulatory Fees filed on Sept. 9, 2017 by Vitelcom Cellular, Inc., the Request for Deferment of FY2017 Regulatory Fees filed on Sept. 9, 2017 by St. Croix Cable TV, Inc., the Emergency Motion to Defer Payment of Annual Regulatory Fee filed on Sept. 20, 2017 by SMITCOMS, INC., the Request for Waiver of Regulatory Fee and Request for Deferment of Regulatory Fee Payment filed on Sept. 28, 2017 by Aguadilla Radio & TV Corporation, the Request for Deferment of FY2017 Regulatory Fees filed on Sept. 29, 2017 by Caribbean Communications Corp., the Request for

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<sup>3</sup> *Regulatory Fee Filing Window for Those Regulatees Affected by Hurricanes Harvey or Irma is Extended to Friday, September 29, 2017*, Public Notice, 32 FCC Rcd 6968 (2017) (*2017 Hurricane Notice 1*); *Regulatory Fee Filing Window for Those Regulatees Affected by Hurricane Maria is Extended to Friday, September 29, 2017*, Public Notice, 32 FCC Rcd 7306 (2017) (*2017 Hurricane Notice 2*) (collectively *2017 Hurricane Notices*). The Commission also reminded affected regulatory fee payors of existing rules and process to follow when seeking relief with respect to regulatory fee payments. *2017 Hurricane Notices*.

<sup>4</sup> Vitelcom Cellular, Inc., *Request for Deferment of Fiscal Year 2017 Regulatory Fees* (filed Sept. 9, 2017).

<sup>5</sup> St. Croix Cable TV, Inc., *Request for Deferment of FY2017 Regulatory Fees* (filed Sept. 9, 2017).

<sup>6</sup> SMITCOMS, INC., *Emergency Motion to Defer Payment of Annual Regulatory Fee* (filed Sept. 20, 2017).

<sup>7</sup> Aguadilla Radio & TV Corporation, *Request for Waiver of Regulatory Fee and Request for Deferment of Regulatory Fee Payment* (filed Sept. 28, 2017).

<sup>8</sup> Caribbean Communications Corp., *Request for Deferment of FY2017 Regulatory Fees* (filed Sept. 29, 2017).

<sup>9</sup> Innovative Long Distance, *Request for Deferment of FY2017 Regulatory Fees* (filed Sept. 29, 2017).

<sup>10</sup> ICC TV, Inc., *Request for Deferment of FY2017 Regulatory Fees* (filed Sept. 28, 2017).

<sup>11</sup> Radio Casa Pueblo, Inc., *Request for Waiver of Regulatory Fee and Request for Deferment of Regulatory Fee Payment* (filed Sept. 28, 2017).

<sup>12</sup> Vitelcom Cellular, Inc., Aguadilla Radio & TV Corporation, Caribbean Communications Corp, Innovative Long Distance, and ICC TV, Inc.

<sup>13</sup> The Commission's rules provide authority to enter in installment payment agreements for regulatory fee debt. See 47 C.F.R. § 1.1914.

<sup>14</sup> The Commission reaches such agreements pursuant to 47 C.F.R. § 1.1914.

<sup>15</sup> St. Croix Cable TV, Inc., SMITCOMS, Inc, and Radio Casa Pueblo, Inc.

<sup>16</sup> *2017 Regulatory Fee Order*, 32 FCC Rcd at 7072-74, paras. 38-42 (increasing *de minimis* threshold from \$500 to \$1000).

Deferment of FY2017 Regulatory Fees filed on Sept. 29, 2017 by Innovative Long Distance, the Request for Deferment of FY2017 Regulatory Fees filed on Sept. 28, 2017 by ICC TV, Inc., and the Request for Waiver of Regulatory Fee and Request for Deferment of Regulatory Fee Payment filed on Sept. 28, 2017 by Radio Casa Pueblo, Inc. ARE DISMISSED as moot.

4. IT IS FURTHER ORDERED that, pursuant to section 1.102(b)(1) of the Commission's rules, 47 C.F.R. § 1.102(b)(1), this Order SHALL BE EFFECTIVE upon release.

5. This action is taken pursuant to the authority delegated by Sections 0.11 and 0.231 of the Commission's Rules, 47 C.F.R. §§ 0.11, 0.231.

FEDERAL COMMUNICATIONS COMMISSION

Mark Stephens  
Managing Director